

Hearing Date And Time: February 21, 2008 at 10:00 a.m.
Objection Deadline: February 19, 2008 at 4:00 p.m.

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

_____	x	
In re	:	(Chapter 11)
	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	Case No. 05-44481(RDD)
	:	
Debtors.	:	Jointly Administered
_____	:	
	x	

**OBJECTION TO DEBTORS' EXPEDITED MOTION TO STRIKE (I) NON-
CONFORMING CURE AMOUNT NOTICES AND (II) IMPROPER OBJECTIONS
PURSUANT TO SOLICITATION PROCEDURES ORDER, CONFIRMATION ORDER,
PLAN OF REORGANIZATION, 11 U.S.C. § 105(a), AND FED. R. BANKR. P. 9010**

Semiconductor Components Industries LLC, a subsidiary of On Semiconductor Corp. ("SCI"), a creditor holding allowed proofs of claim and party in interest in the above captioned bankruptcy cases of Delphi Corporation ("Debtor") hereby object to "Debtors' Expedited Motion To Strike (i) Non-Conforming Cureamount Notices And (ii) Improper Objections Pursuant To Solicitation Procedures Order, Confirmation Order, Plan Of Reorganization, 11 U.S.C. § 105(A), And Fed. R. Bankr. P. 9010" (the "Motion to Strike"). In the Motion to Strike, the Debtor alleges that the SCI cure notice was untimely filed. In support of its objection SCI asserts as follows:

1. SCI was not aware of its obligation to submit a ballot containing a cure notice until January 11, 2008 when it was brought to counsel's¹ attention that SCI was included on a certificate of service filed by the debtor on January 8, 2008. Neither SCI nor its counsel is

¹ The attorney responsible for this matter has since left Quarles & Brady, LLP.

aware of receiving the ballot. Upon being made aware of the certificate of service, counsel immediately requested a replacement ballot.

2. SCI executed the replacement ballot indicating its election regarding the notice of cure the same day. SCI attempted to electronically transmit the replacement ballot to Kurtzman Consultants, which refused to accept the replacement ballot electronically. SCI sent the Ballot by overnight courier to Kurtzman Consultants on January 11, 2008.

In sum, SCI did everything within its power to submit a timely cure notice which should be permitted under the excusable neglect standard of Fed. R. Bankr. P. 9006. It would be highly inequitable to strike the cure notice as untimely under the circumstances.

DATED: Tucson, Arizona
February 19, 2008

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